IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

MONDAY, THE 19TH FEBRUARY 2007 / 30TH MAGHA 1928

W.P.(C).No.34436 of 2006(Y)

PETITIONER:-

JOMON T.,
MEMBER NO.16150, RAMAPURAM REGIONAL SERVICE
CO-OPERATIVE BANK LTD.NO.4111, RAMAPURAM,
RESIDING AT SASTHAMPADAVIL HOUSE,
RAMAPURAM BAZAR P.O., KOTTAYAM DISTRICT.

BY ADV. SRI.P.C.SASIDHARAN

RESPONDENTS:-

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1. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL),
   OFFICE OF THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES,
   KOTTAYAM DISTRICT.

2. THE RAMAPURAM REGIONAL SERVICE
   CO-OPERATIVE BANK LTD.NO.4111, RAMAPURAM,
   REPRESENTED BY ITS SECRETARY, RAMAPURAM P.O.,
   KOTTAYAM DISTRICT.

3. AJITHKUMAR,
   MEMBER NO.14645, RAMAPURAM REGIONAL SERVICE
   CO-OPERATIVE BANK LTD.NO.4111, RAMAPURAM,
   KOTTAYAM DISTRICT, RESIDING AT BHAKTI VILAS,
   RAMAPURAM P.O., KOTTAYAM DISTRICT.

4. P.N. DIVAKARAN,
   MEMBER NO.2784, RAMAPURAM REGIONAL SERVICE
   CO-OPERATIVE BANK LTD.NO.4111, RAMAPURAM,
   KOTTAYAM DISTRICT, RESIDING AT PAROTTIYIL HOUSE,
   RAMAPURAM BAZAR P.O., KOTTAYAM DISTRICT.

5. C.T. RAJAN,
   MEMBER NO.15138, RAMAPURAM REGIONAL SERVICE
   CO-OPERATIVE BANK LTD.NO.4111, RAMAPURAM,
   KOTTAYAM DISTRICT, RESIDING AT CHAYANANICKAL HOUSE
   RAMAPURAM BAZAR P.O., KOTTAYAM DISTRICT.

R1 BY SENIOR GOVERNMENT PLEADER SRI.P.K.RAVIKRISHNAN.
R2 BY SRI.JOHNSON P.JOHN
SMT.S.CHITHRA
R4 BY ADV. SRI.GEORGE KURUVILLA (ALAPPUZHA)

SRI.JOHN NUMPELI (JUNIOR)
SRI.AJITH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

APPENDIX

PETITIONER'S EXHIBITS:-

EXT.P1 - TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES DATED 2.9.2006.

EXT.P2 - TRUE COPY OF THE JUDGMENT IN W.P.(C).NO.24202 OF 2006.

EXT.P3 - TRUE COPY OF THE NOTES OF SUBMISSION SUBMITTED BY THE PETITIONER AT THE TIME OF HEARING.

EXT.P4 - TRUE COPY OF THE CERTIFICATE ISSUED BY THE PRESIDENT OF SOCIETY.

EXT.P5 - TRUE COPY OF THE RELEVANT PAGE OF THE LEDGER EVIDENCING THE DEFAULT COMMITTED BY THE 3RD RESPONDENT.

EXT.P5(a) - TRUE COPY OF THE POSTAL RECEIPT (3RD RESPONDENT).

EXT.P6 - TRUE COPY OF THE CERTIFICATE ISSUED BY THE SECRETARY (4TH RESPONDENT).

EXT.P7 - TRUE COPY OF THE POSTAL RECEIPT ISSUED BY THE POSTAL AUTHORITY (4TH RESPONDENT).

EXT.P8 - TRUE COPY OF THE ORDER ISSUED BY THE JOINT REGISTRAR DATED 13.12.2006.

- TRUE COPY -

K.Padmanabhan Nair,J.

W.P.(C).No.34436 of 2006-Y

Dated, this the 19th day of February, 2007

JUDGMENT

The petitioner filed an application to disqualify some of the Director Board members. The Joint Registrar by Exhibit P8 took the view that the petitioner has not made out any ground to disqualify those members and dismissed the application. Such an order is appealable under Section 83(1)(j) of the Kerala Co-operative Societies Act. Since the petitioner has got efficacious alternative remedy, I do not find any reason to invoke the extra ordinary jurisdiction conferred on this Court under Article 226 of the Constitution. So, this writ petition is only to be dismissed.

In the result, the writ petition is dismissed without prejudice to the right of the petitioner to challenge Exhibit P8 order before the appropriate authority.

K.Padmanabhan Nair
Judge

vku/-